

IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION

IN RE:

WOLFGANG RUHL  
CHARLOTTE RUHL

CASE NO: 10-70039-HDH-13  
HEARING DATE: 11/17/2010  
HEARING TIME: 10:00am

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND  
PLAN MODIFICATION (if required)**

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2010-01 and would respectively show unto to the Court as follows:

**I.**

**OBJECTION -- NO PROOF OF CLAIM FILED**

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

Trustee Clm#	Creditor Name	Scheduled Amount	Trustee Clm#	Creditor Name	Scheduled Amount
003 0 P *	INTERNAL REVENUE SERVICE	\$1,116.00	022 0 U	DELL FINANCIAL SERVICES	\$997.00
<i>Provided priority, no claim filed.</i>					

**II.**

**SPECIFIC OBJECTIONS**

No Objections

**III.**

**TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS**

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

Trustee Claim #	Creditor	Collateral / Description	Claim Amount	Value	%	Term	Paid / Treated
<b><u>SECURED CREDITORS</u></b>							
008 0	BURKBURNETT ISD	2009-10 PROPERTY TAXES - JANLEE HEIGHTS	\$1,872.80	\$64,787.00	12.00%	8	\$575.27 PAID BY TRUSTE
<i>Paid in Full.</i>							
009 0	FORT SILL NATIONAL BANK	2000 GALANT	\$4,040.20	\$4,500.00	10.00%	8	\$576.54 PAID BY TRUSTE
010 0	WELLS FARGO FINANCIAL TEXAS INC	HOMESTEAD	\$67,898.26	\$135,182.00			PD DIRECT BY DEBTOR
040 0 *	WICHITA COUNTY	2009-2010 PROPERTY TAXES - JANLEE HEIGHTS	\$2,683.98	\$64,787.00	12.00%	59	\$75.96 PAID BY TRUSTE
<i>Not provided for in confirmed plan. See modification below.</i>							

**UNSECURED GENERAL CREDITORS**

Trustee Clm#	Creditor Name	Claim Amount	Trustee Clm#	Creditor Name	Claim Amount
011 0 U	BECKET & LEE LLP	\$5,620.42	012 0 U	ECAST SETTLEMENT CORPORATION	\$7,649.38
<i>PURCHASES/AMER EXP</i>			<i>PURCHASES</i>		
013 0 U	CR EVERGREEN LLC	\$5,580.28	014 0 U	PRA RECEIVABLES MANAGEMENT	\$2,743.98
<i>PURCHASES</i>			<i>PURCHASES/BANK OF AMERICA</i>		
015 0 U	CAPITAL ONE BANK USA	\$7,816.24	016 0 U	CAPITAL ONE BANK USA	\$5,350.51
<i>PURCHASES</i>			<i>PURCHASES</i>		
017 0 U	CAPITAL ONE BANK USA	\$2,572.96	018 0 U	PRA RECEIVABLES MANAGEMENT	\$6,331.25
<i>PURCHASES</i>			<i>PURCHASES/CHASE BANK USA WASHINGTON MUTUAL</i>		

019 0 U	PRA RECEIVABLES MANAGEMENT	\$5,710.65	020 0 U	LVNV FUNDING	\$2,594.25
	<i>PURCHASES/CHASE BANK USA WASHINGTON MUTUAL</i>			<i>PURCHASES</i>	
021 0 U	PRA RECEIVABLES MANAGEMENT	\$956.50	023 0 U	DISCOVER FINANCIAL SERVICES	\$9,456.40
	<i>PURCHASES/CONOCO</i>			<i>PURCHASES</i>	
025 0 U	PRA RECEIVABLES MANAGEMENT	\$1,929.23	026 0 U	HSBC BANK NEVADA	\$12,699.34
	<i>PURCHASES</i>			<i>PURCHASES</i>	
027 0 U	HSBC BANK NEVADA	\$9,990.74	028 0 U	HSBC BANK NEVADA	\$7,173.33
	<i>PURCHASES</i>			<i>PURCHASES</i>	
029 0 U	CHASE BANK USA NA	\$692.49	030 0 U	PRA RECEIVABLES MANAGEMENT	\$2,180.85
	<i>PURCHASES/KOHL'S</i>			<i>PURCHASES/GEMB SAMS CLUB</i>	
031 0 U	PRA RECEIVABLES MANAGEMENT	\$2,827.72	032 0 U	PRA RECEIVABLES MANAGEMENT	\$519.10
	<i>PURCHASES/SEARS PREMIER CARD CITIBANK</i>			<i>PURCHASES/SEARS GOLD MASTERCARD</i>	
033 0 U	PRA RECEIVABLES MANAGEMENT	\$1,781.26	034 0 U	WELLS FARGO BANK NA	\$8,772.91
	<i>PURCHASES/SHELL</i>			<i>PURCHASES - CLAIM WITHDRAWN</i>	
037 0 U	WELLS FARGO BANK NA	\$8,772.91	044 0 U *	PRA RECEIVABLES MANAGEMENT	\$251.78
	<i>PURCHASES</i>			<i>PURCHASES/CHEVRON AND TEXACO</i>	
				<i>Not provided for in confirmed plan.</i>	

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof of Claim, the recommendation is deemed an objection to such claim. Unless a timely reponse or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount and in the class indicated.

Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

#### IV.

#### **TRUSTEE'S PLAN MODIFICATION**

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2010-01 Section 8, the Trustee requests the following Modification of Debtor's(s') Confirmed Plan, subject to feasibility herein:

Trustee's Modification is as follows:

The secured claim filed by Wichita County in the amount of \$2,683.98 shall be valued at \$64,787 and paid through the plan at 12% interest over 59 months with a payment of \$75.96 per month.

Debtors plan term shall be extended from 59 to 60 months. Debtor shall pay \$2,254 per month beginning March 2010 for 9 months; then Debtor shall pay \$2,279 per month beginning December 2010 for the remaining 51 months; Also the additional plan payment of \$1,127 paid on 3-31-2010 shall be kept and applied to the base for a total base amount of \$137,642.00. Plan shall remain a 100% plan to the unsecured creditors.

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 11/17/2010 AT 10:00am CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

LIVE: US COURTHOUSE ROOM 222, 10TH & LAMAR STREETS, WICHITA FALLS, TEXAS 76301

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT THE SAME LOCATION AT 8:30am. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2010-01 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

I hereby certify that a copy of the foregoing Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) and Notice of Hearing and Pre-Hearing Conference on Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) was this date served on the following parties electronically or at the addresses listed below by U.S. First Class mail:

Date: 9/21/2010

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

BANK OF AMERICA 4060 OGLESTOWN/STAN NEWARK DE 19713  
BECKET & LEE LLP ATTORNEYS AT LAW 16 GENERAL WARREN, PO BOX 3001 MALVERN PA 19355  
BURKBURNETT ISD PO BOX 608 BURKBURNETT TX 76354  
BURKBURNETT ISD WICHITA CO CITY OF BURKB C/O HAROLD LEREW PO BOX 8188 WICHITA FALLS TX 76307  
CAPITAL ONE 6125 LAKEVIEW ROAD, STE 800 CHARLOTTE NC 28269  
CAPITAL ONE BANK USA BY AMERICAN INFOSOURCE LP PO BOX 71083 CHARLOTTE NC 28272  
CHASE BANK USA NA C/O CREDITORS BANKRUPTCY SERVICE PO BOX 740933 DALLAS TX 75374  
CHASE PO BOX 15298 WILMINGTON DE 19850  
CITIBANK NA ATTN CENTRALIZED BANKRUPTCY PO BOX 20507 KANSAS CITY MO 64195  
CR EVERGREEN LLC MS 550 PO BOX 91121 SEATTLE WA 98111  
DELL FINANCIAL SERVICES 12234 N IH 35 AUSTIN TX 78753  
DISCOVER FIN SVCS LLC PO BOX 15316 WILMINGTON DE 19850  
DISCOVER FINANCIAL SERVICES PO BOX 3025 NEW ALBANY OH 43054  
ECAST SETTLEMENT CORPORATION PO BOX 29262 NEW YORK NY 10087  
FORT SILL NATIONAL BANK 1647 NW RANDOLPH RD FORT SILL OK 73503  
FORT SILL NATIONAL BANK PO BOX 33009 FORT SILL OK 73503  
GEMB DILLARDS PO BOX 981471 EL PASO TX 79998  
HSBC BANK NEVADA C/O PRA RECEIVABLES MANAGEMENT PO BOX 12907 NORFOLK VA 23541  
HSBC BANK/BANKRUPTCY PO BOX 5253 CAROL STREAM IL 60197  
HSBC NV 12447 SW 69TH AVE TIGARD OR 97223  
INTERNAL REVENUE SERVICE PO BOX 21125 PHILADELPHIA PA 19114  
INTERNAL REVENUE SERVICE PO BOX 21126 PHILADELPHIA PA 19114  
KOHLS/CHASE N56 W 17000 RIDGEWOOD DR MENOMONEE FALLS WI 53051  
LVNV FUNDING C/O RESURGENT CAPITAL SERVICES PO BOX 10587 GREENVILLE SC 29603  
MONTE J WHITE ATTORNEY AT LAW 1106 BROOK AVE HAMILTON PLACE WICHITA FALLS TX 76301  
PRA RECEIVABLES MANAGEMENT PORTFOLIO REC ASSOC PO BOX 41067 NORFOLK VA 23541  
PRA RECEIVABLES MANAGEMENT PORTFOLIO RECOVERY ASSOC PO BOX 12914 NORFOLK VA 23541  
SAMS CLUB ATTENTION BANKRUPTCY DEPARTMENT PO BOX 103104 ROSWELL GA 30076  
SEARS/CBSD 701 E 60TH STREET NORTH SIOUX FALLS SD 57104  
SEARS/CITI 8725 W SAHARA AVE THE LAKES NV 89163  
SOUTHSIDE FINANCIAL GROUP LLC 1600 EAST PIONEER PARKWAY SUITE 300 ARLINGTON TX 76010  
TEXACO CITIBANK ATTN CENTRALIZED BANKRUPTCY PO BOX 20507 KANSAS CITY MO 64195  
UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH TX 76102  
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE STREET SUITE 300 DALLAS TX 75242  
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON DC 20530  
WELLS FARGO BANK NA 4137 121ST STREET URBANDALE IA 50323  
WELLS FARGO BANK NA ATTN REMITTANCE PROCESSING PO BOX 14487 DES MOINES IA 50306  
WELLS FARGO FINANCIAL 1800 S LOOP 288 STE 101 DENTON TX 76205  
WELLS FARGO FINANCIAL 4137 121ST STREET URBANDALE IA 50323  
WELLS FARGO FINANCIAL TEXAS INC 4137 121ST STREET URBANDALE IA 50323  
WICHITA COUNTY PO BOX 1471 WICHITA FALLS TX 76307  
WILLIAM T NEARY UNITED STATES TRUSTEE 1100 COMMERCE STREET RM 976 DALLAS TX 75242  
WOLFGANG RUHL & CHARLOTTE RUHL 938 TEJAS DR BURKBURNETT TX 76354